

24. The method of claim 23 wherein the polysaccharide is selected from the group consisting of: hyaluronic acid, chitosan, and the product which is listed in the Chemical Abstracts under the Registry Number 178643-23-5.

REMARKS

Claims 1-12 have been cancelled and claims 13-24 have been added. Claims 13-24 are now pending. Although claims 13-24 are broader in scope than the claims allowed in 09/389,684, they still represent a narrower embodiment of originally filed claims 1-12. As such, it is believed that no new matter has been added.

Claims 14-21 correspond to the claims allowed in parent application 09/389,684 with the exception of the coating limitation (see attached sheet for comparison of claims), i.e. the scope of the claims has been expanded so that the amphiphilic metal oxide microfine particles are not limited by the means by which they are made to be amphiphilic.

Claims 22-24 correspond to claim 12, the subject matter of which was cancelled during the prosecution of the parent application.

If the only issue preventing allowability of the claims is the lack of a terminal disclaimer to overcome a obviousness-type double patenting rejection, the examiner is encouraged to telephone the undersigned (A faxed copy of the appropriate terminal disclaimers can be provided within 48 hours or less - Given the cost (\$110 per terminal disclaimer), the applicants prefer not to file the terminal disclaimers until there is an indication of allowable subject matter.)
Early and favorable action is earnestly solicited.

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Respectfully submitted,
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CERTIFICATE OF MAILING

I hereby certify that the foregoing Preliminary Amendment is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Hon. Assistant Commissioner for Patents, Washington, D.C. 20231, on the date indicated below:

Date: 21 February 2002

By Howard C. Lee
Howard C. Lee

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